

Process of Commission Meeting Questions and Answers

Q. How often do you hold a Commission Meeting?

A. Meetings are usually held the 3rd Friday of each month.

Q. Where are the meetings held?

A. Throughout the State of Nebraska. You can find out where the next meeting will be held by checking our Webpage at www.neoc.ne.gov.

Q. Do I have to be at the meeting the whole time?

A. No. The meeting starts at 9:00 a.m. with case dispositions to start shortly after the meeting starts. You are free to leave after the decision has been made on your case; however, you are also welcome to stay and listen to the remaining cases.

Q. Can I bring someone with me to the meeting?

A. You are welcome to bring someone along if you choose; however, they will not be allowed to speak on your behalf if they are not legally representing you. When you arrive at the meeting, you will be asked to sign in. We will need your name; whether you are the Complainant (person that filed) or Respondent (company or party filed against) or the representative of either party; and your case number. The person you brought along will also be asked to sign in indicating they are an observer. A NEOC staff member will be available to assist with the sign-in process.

Q. May I bring counsel?

Yes, and your attorney may speak on your behalf.

Q. What is the process?

- A.
- 1st The supervisor will present the summary prepared by the investigator.
 - 2nd The Complainant is given an opportunity to speak if he or she wishes.
 - 3rd The Respondent is given an opportunity to speak if he or she wishes.

When it is your time to speak, regardless of which party you are representing, you are invited to the front (if the room allows). You have 2 minutes to say what you wish at this point; keep in mind the commissioners have all the relevant information you presented to your investigator. **The purpose of your presentation is to emphasize key facts.**

- 4th After both parties have had the opportunity to present their information, the commissioners may ask questions or they may proceed directly to the vote on this case.

Four (4) affirmative votes, or a quorum, are required for a motion to pass.

Q. Do I have to speak?

A. No. Signing the confidentially agreement at the meeting moves your case to the top of the Agenda. Your case will be brought to the top of the agenda in the order that it is on the Agenda. For example if your case is in the 5th spot on the Agenda and cases 1-4 did not come to the meeting, your case will be heard first. If you are 14th on the Agenda and 5 other persons show for their cases listed on the Agenda before yours, you will be in slot 6.

Q. What was the paper I was asked to sign when I first arrived at the meeting?

A. As you signed in, you were asked to sign an agreement. You will receive a copy after you have signed it. *The agreement asks you to refrain from using the names of the parties, including yourself, in order to make the proceeding as confidential as possible.*

Q. What does "No Reasonable Cause" mean?

A. A "No Reasonable Cause" decision means that we **did not** find that **discrimination** occurred on the basis stated and this particular case will be closed. The paperwork with the decision will be mailed the week following the meeting. It explains to you what your other options are based on the law. The Commissioner's decision is final and there is no appeal process.

Q. What does "Reasonable Cause" mean?

A. A "Reasonable Cause" decision means that we found **discrimination** may have occurred. Your case will proceed to the Conciliation Unit. You will receive the paperwork with the decision along with paperwork from the Conciliator. The paperwork will explain what the next step is.

Q. Will I be able to talk to my investigator?

A. No. NEOC investigators do not regularly attend commission meetings. He or she has prepared a summary of the evidence regarding your case. A supervisor will present the summary at the meeting. The commissioners have received the factual basis for your case prior to the meeting. The commissioners have already read the summary so the reading of the summary is for the people attending the meeting.

Q. I talked to the investigator about other issues which were not discussed at the meeting. Why is that?

A. The commissioners do not make a decision on cases filed under the Nebraska Fair Employment Practice Act (FEPA). If you filed under employment on the basis of race, color, religion, sex, disability, marital status, or national origin along with an Age case, the only part the commissioners are making a decision on is the Age case. The commissioners also make decisions on Housing and Public Accommodation cases regardless of the basis. The Executive Director will make the final determination on your FEPA case if you also filed under that Act. You will receive the decision for both Age and FEPA at the same time.

Q. Why didn't the investigator talk to all of my witnesses?

A. The Commission determines the level of investigation needed to make a decision. The witnesses have been contacted that were needed to make that decision.